

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO**

CHICAGO INSURANCE COMPANY,)
)
Plaintiff,)
) CASE NO. 01 CV 2588 DAK
vs.)
) PLAINTIFF'S WITHDRAWAL
JAMES A. CAPWILL, et al.,) OF DEMAND FOR JURY TRIAL
)
Defendants.) ON COUNT I OF ITS COMPLAINT

NOW COMES, Plaintiff Chicago Insurance Co., and hereby withdraws its request for a jury trial on the matters for adjudication on its claim for Rescission, Count I of its Complaint, currently scheduled before this Court on August 10, 2010.

Respectfully submitted,

/s/ Beth Ann Berger
Beth Ann Berger (*pro hac vice*)
Lewis Brisbois Bisgaard & Smith, LLP
550 W. Adams St., Suite 300
Chicago, Illinois 60661
Telephone: (312) 345-1718
Facsimile: (312) 345-1778

CERTIFICATE OF SERVICE

The undersigned attorney states that on May 20, 2010 a copy of the above and foregoing Chicago Insurance Company's Withdrawal of Demand for Jury Trial on Count I of its Complaint, which will be sent to all parties by operation of the Court's electronic filing system. Parties and/or their counsel may access this filing through the Court's system.

/s/ Beth Ann Berger